

Guide  
Self Determination in Long Term Care  
Michigan Department of Community Health

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## Definitions you should know –

**MI Choice waiver** – a program that pays for services at home, based on specific requirements. People who get MI Choice are able to be in Self Determination in Long Term Care.

**Participant** – also known as a consumer, or client, is the person who is getting services in their home instead of a nursing home.

**Support Coordinator** – also known as a care manager or case manager, is the person who works at the agency that is helping you get services.

**The Agency** – is the place where the money for your services comes from. They will tell you what services you can get and how to get them. They are also called waiver agents or Area Agencies on Aging.

*Did you Know?*

**Traditional Services** – where home health aides come from to help you at home. Their workers are paid by a home health agency. This agency is often called the **Provider**.

**Self Direction** – when someone chooses to hire their own workers and manage a budget for their services.

**A budget** – the amount of money you manage to pay for the workers and services you and your Support Coordinator decided for your plan of services.

## Getting Started

Self Determination in Long Term Care is the choice to hire your own workers and services and manage a budget for your services. The option of directing your supports and services is available to anyone who is on the MI Choice waiver. You will have a Support Coordinator, also known as a Care Manager who helps you get started in this program. You should have a Person Centered Planning session (or more than one if needed) to help you decide what kind of help you need, when you need it and who you want to give it to you. Your meeting to make a plan for your care should be when and where you want with the people you choose. The Support Coordinator should give you information about how the program works, including this booklet. After you get a plan for what you need, you make a budget to cover the cost of your plan. You have help with this.



## Overview and short history

Michigan has offered this choice to people who are elderly and disabled who get services from the MI Choice waiver since December 2006. More people choose this option every day. Anyone who gets MI Choice services is able to choose this option. This is part of a national movement to give people who need services at home more choices and control to stay out of a nursing home if that is what they want. Several states offer some kind of self-directed services. If you choose this option, you have help from the support coordinator and other people to make sure you are successful.

Self Determination in Long Term Care is based on four values –

**Freedom** to be able to live your life the way you want

**Authority** to control the way you get your services

**Support** to give you the help you need to be successful

**Responsibility** to follow the rules and laws and what you agree to do

**The table below shows the difference between “traditional” waiver services and Self Determination**

<b>SELF DETERMINATION (SD)</b>	<b>TRADITIONAL WAIVER</b>
More choice and control over services.	All services arranged with Person Centered Planning.
Supports Coordinator <i>supports</i> you to self-direct services you choose.	Supports Coordinator, <i>directs</i> and coordinates services/supports with your input.
You are the employer of record with a fiscal intermediary paying the provider(s) for service(s).	Contracted provider agency is the employer of record with MI Choice paying the provider agency.
You can directly hire, fire, and supervise direct care workers. You can hire people <i>you choose</i> to provide services - friends, family, neighbors etc.	Provider <i>assigns</i> workers to you, and workers must work within agency hours and guidelines. You can switch provider agencies or direct care workers from contracted provider agencies.
You set your worker’s rate of pay (within limits of the budget), hours, and days.	Provider agency sets workers’ rate of pay, and scheduling is subject to agency guidelines/ availability.
Goods & Services available (services, equipment or supplies not otherwise provided through this waiver or through the Medicaid State Plan).	Gap Funds available (state funded services authorized when needed for a situation that requires immediate attention).
Individual budget is managed by you (with help) and figured by how much is needed to get the services listed in Person Centered Plan.	Support Coordinator arranges needed services, from the Person Centered Plan, with no budget.

# Whose Life is it Anyway?

## Person Centered Planning

Everyone who gets services from the MI Choice waiver has the right to have what you need planned for in a way that is about you. What you want, what your goals are, who is in your life to help you meet your goals and what needs to happen for things to be the way you want. This is a change from looking only at what is wrong and how to fix it. With person-centered planning, the whole you (or as much of you as you want) is talked about. You direct, along with the people you care about, how services can help you reach your goals. Not all goals can be met with services paid for by government money, but sometimes there are other ways for your needs to be met, or sometimes, with the help of others, you can figure out a way to come close.

People who use home-based services, along with lots of other people including from the state, decided that a person-centered process would mean –

- The person needing services directs the planning
- They choose when and where meeting will take place
- They choose who will be invited to the meeting
- They choose what will be talked about
- A plan is made based on what's been talked about
- They decide if the plan will meet their needs

It can take as little or as much time as needed. If you are already getting services, it may mean a quick look at what you are getting to see if anything is missing or no longer needed. It could mean you get the chance to talk about what isn't working and what you need to make things better.



Your plan for services, usually called a Plan of Care or Plan for Supports and Services, should lay out what kind of help you need, when you need it, how much of it you need, and who will give it to you. Your plan must also include a written “back-up plan” that says what will happen if your worker cannot or does not show up. A back-up worker can be a paid worker or an unpaid friend or family member who is willing to help in a pinch. Everyone who chooses Self Determination must have a back-up plan in writing. Your Support Coordinator will explain what services could help you meet your goals. They also have to authorize them, if they will be paid for by the MI Choice program.

Not all services can be in your Self Determination budget– these are the ones you can direct:

## Your Services

**Community Living Supports** this is used most often for people choosing Self-Determination and is used to help people stay in the community. It blends your needs into one service.

**Personal Care** help with things like bathing and dressing

**Home Making** basic housekeeping and meals

**Chore** help with heavy cleaning or other chores

**Respite** someone to help you when your family caregivers need a break

**Non-Medical Transportation** to take you places in the community, NOT to the doctor

**Home modifications** to make your home safer, like a ramp or handrails

**Private Duty Nursing** a nurse that would come to your home

**Goods and Services** things that could make it easier for you to stay home that you can't get anywhere else. They need to help you need less help from a person.

**Fiscal Intermediary\***

This will be explained in detail later in this booklet

There are other services that may help you, but won't be part of your budget. You can still have them as part of your plan–

Adult Day program

Home Delivered Meals

Training

Counseling

Personal Emergency Response System (like a Life Line)

Special medical equipment and supplies

If you choose Self-Determination, you choose to find, hire and manage your workers. You are also choosing the responsibility of managing the budget for your services. While there are many ways to get help with Self-Determination, in the end you are the one making the choices and making sure things are working the way you want.

You can have someone be your representative. You choose a person you trust who is willing and able to manage your workers and the budget. You do not need a formal

agreement, but the person you choose will need to sign a form saying they are willing to do this for you.

After your plan is finished, you decide what workers you want to hire and work with your Support Coordinator to decide how much to pay your workers. You should think about what kind of things they will do, how many hours you need them and if you would like to give them a raise in the future. Your Support Coordinator can tell you how much someone makes who is doing the same kind of work in your area.

There are rules about who you can't hire:

- Your husband or wife
- Your representative if you have one
- Your guardian if you have one
- Anyone under the age of 18
- People who have committed specific crimes, your Support Coordinator can explain



Anyone you hire needs to have a job application, a job description is also a good idea. There will be forms that your worker has to fill out\* More about that later\*

Your worker:

- Must be 18 years or older
- Has to have a criminal back-ground check
- Has to have specific training for specific kinds of work, your Support Coordinator will help with this
- Be a person you think is able to do the work
- Must be able to communicate with you and others by reading and writing

If you are getting help from a provider agency and you want to hire a worker who works for that agency, the provider agency should not try to charge you or the workers for leaving the agency to work for you. If this happens, let your Support Coordinator know.

Ways to make Self-Determination work best for you –

The way most people choose to direct their care is by hiring their own workers and managing the budget for their services. Sometimes people choose to hire some of their workers and have their Support Coordinator arrange for other workers through a home help (provider) agency. It is possible to do both. Another option is for you to work with an agency that takes care of the paperwork of being an employer, but you still are in

charge of the work that gets done for you. This is called an **Agency with Choice**. Your Support Coordinator will explain the ways these choices can work best for you.

## Your Budget

You had a chance to talk about what is important to you. You have a plan for the services you need. You decide to enroll in Self Determination and now you are the employer of your workers and manage a budget for the costs of your services.

The next step is to make the budget for your services. The budget is based on all the costs of your services, wages for workers, taxes, workers' comp and unemployment. This is based on the hourly wage for your workers, plus the other expenses. For example, if you pay your worker \$10.00 an hour, it could cost more than \$12.00 an hour after the taxes are included. The hourly rate is multiplied by the number of hours a week, times the number of weeks in a year. Budgets are yearly. The budget can also include costs for other services that are part of your plan, like transportation or home modifications. If you get some of your services from an agency, that amount will not be part of your budget. It will be paid for separately. Your budget can be changed when your needs change. Your Support Coordinator will make changes after you talk about what you need.



## The Fiscal Intermediary

An important part of your budget is the fee for the fiscal intermediary.

A **fiscal intermediary** is a company, often an accounting firm, who holds the money in your budget and pays the bills for you. The fiscal intermediary has a contract to give you their services. The things they do include:

- Criminal background checks on your workers
- Keeping files on your workers
- Paying the taxes and other fees for you
- Paychecks to your workers



- Sending you a monthly report showing what has been paid for you and how much money you have left
- Sending the same report to your Support Coordinator
- Helping keep track of paperwork in the enrollment meeting

The fiscal intermediaries go through an intense screening to qualify for this position. In some areas, there may be more than one to choose from.

It is important that you understand your budget. It is possible to move money from one expense to another or to use less money some times and more money at other times. If your budget is over or under by 10%, you will be contacted by the fiscal intermediary and your Supports Coordinator to see what's going on and if you need help. Only the things that have been approved on your plan can be on your budget and be paid for. You or your representative will need to make sure your workers' time sheets are correct before you send them to the fiscal intermediary for payment. If you send in time sheets that you know are not true, you could be charged with Medicaid fraud.

Anytime you have questions, you can call your fiscal intermediary and expect an answer about your budget and expenses. It is important that you let them know when you change workers or go in the hospital so they can keep up on what they should be paying for. The fiscal intermediary handles many of the forms and other paperwork from enrolling in Self Determination. They will be at the meeting where things are finalized. Sometimes this is called a "kick-off" or enrollment meeting.



## Enrolling

After the plan is written, the workers have been chosen, the budget put together it's time to do all the paperwork known as enrollment. The purpose of this meeting is to get all the forms filled out and answer questions. Some of the information is taken care of in advance, like the criminal background check and the job application. When the enrollment is all done, you will be the boss of your own workers and have a budget to pay for them. You will be told when your budget and workers can start.

Who has to be there:

- You, your representative if you have one
- Your workers; they all need to be there with proof of identity and Social Security cards, your back-up workers too, if you will be paying them
- The fiscal intermediary
- Anyone else you would like who is able to attend

Before the enrollment meeting happens, your workers should fill out the job application and the criminal background check information. The training for your workers should also be figured out by then. Your support coordinator will help with this. You should have a copy of your budget with you before the meeting. You can change your mind about being in the program anytime and a new plan will be made to get you the help you need.

### **The Forms-**

#### *For You*

##### A Self Determination Agreement

This is between you and the agency your supports coordinator works for, it spells out the responsibilities of each side

##### An Employment Agreement

This is an agreement you have with each of your workers.



#### *For Your Workers*

Employment Agreement (see above)

Medicaid Provider Agreement – so they can get paid from government money

Federal and State W-4 (withholding tax forms)

I-9 US Justice form (proof of eligibility to work in the US)

#### *The Fiscal Intermediary*

The forms the fiscal intermediary needs filled out will allow them to pay for things for you. There are federal and state forms to be filled out.

#### Federal

SS-4/ Application for Employer Identification number

So taxes can be paid for your workers

2848/ Power of Attorney and Declaration of Representative

So they can pay the taxes for you

2678/Employer Appointment of Agent

So the fiscal intermediary can become your employer agent

8821/Tax Information Authorization

Lists what forms and reports the fiscal intermediary will process

State Of Michigan

518/ Registration for Michigan taxes

518A/ Liability questionnaire

151 Power of Attorney

Payroll Service Provider authorization

There maybe other forms, depending on how you set things up. These include:

Back-up plan

Training record for your workers

Other agreements you may want based on your needs



## Quality

This is still a new way for people to get services at home. It is important that the state and others know how this is working and how to make it better for the people who choose it. It is also important for you to know what is working and what needs to be better about the services you are getting from your workers and the help you are getting in this program.

### *Your workers*

You decide if the work is being done the way you want and what kind of job your workers are doing. You may want to have some kind of official evaluation or you may feel ok just talking to your workers about how things are going. You may have put money in your budget for a raise for your worker and know how you are going to decide when and how much a raise to give. If you need help with this, ask your Support Coordinator.



The Michigan Department of Community Health wants to know how this is working and if you think your life is better by choosing this option. You will be asked to answer a couple of surveys when you first enroll.

The first is a satisfaction survey. It asks questions about how the process worked for you and if you got the information and help you needed to get started. This usually happens after you have been in the program for 30 days.

The second survey is known as the POSM. That stands for participant outcome status measures. It was designed by people from the state and U of M.

This survey asks you questions about how you feel about things in your life. You will be asked to answer this survey (you can have help filling it out if you need it), when you begin the program and after you have been in the program for a while. This way, you will know if hiring and supervising your own workers and budget makes a difference in how you feel. It will also help lead to changes in the program that may make it better. You are asked to fill this out when your first enroll, after you've been in the program for six months and again six months later.

You can say no to these surveys if you want. It won't change your services.

There may also be other ways for you to express your opinions about the services you receive and how programs work. From time to time there may be chances for you to be part of groups that review and talk about questions about services. There may be groups that give advice to the agencies that you can be part of. This will help the program improve. Again, you can always say no.

## Help

Help is there for you when choosing this option and once you are enrolled. Ask anytime you are not sure what is being said or what you are supposed to be doing. Although there is a lot of paperwork at first, most of the people who choose Self Determination are happy once they get going.



### **Contact your Support Coordinator**

For questions about –

- Your plan for services
- Your budget
- The enrollment meeting
- How to make changes to your plan, budget or stop being in the program

### **Contact the Fiscal Intermediary**

For questions about –

- The monthly budget report
- Pay for workers, timesheets and paydays
- The forms you signed at enrollment

### **Talk to your workers**

- about the job they are doing
- about their schedules
- about how you want things done

### **Other Things that may come up**

Communicate with everyone when things change

You go in the hospital

You come home from the hospital

You change workers

You need help finding workers

Sometimes when you have been getting your workers from a provider agency and you want to hire that worker, the provider agency may try to charge you or the worker for leaving them and working for you. If this happens, let your Support Coordinator know.

If you feel anytime that someone is trying to make you do something you don't want, like signing a blank timesheet or a timesheet with hours not really worked, tell your Support Coordinator. If you feel threatened, or in danger, tell your Support Coordinator.

Remember, you can change your mind about being the program anytime and you will get the help you need.

If you think you are being denied the program or don't agree with a decision made by the Support Coordinator, you have the right to appeal. The Support Coordinator or someone from the agency they work for must tell you how to appeal.